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ER-8908*~~SECRET~~

Controlled Information

8 April 1953

MEMORANDUM FOR: Inspector General

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SUBJECT : [REDACTED]

REFERENCES : (a) Memo dtd 11 Feb 53 to DD/A fr DC/MS, sub: "Reversal of Medical Decision by DCI."  
 (b) Memo dtd 17 Feb 53 to DC/MS fr ADD/A, same subject.  
 (c) Memo dtd 4 March 53 to C/MS fr OGC, same subject.  
 (d) Memo dtd 2 Apr 53 to ADD/A fr C/MS, same subject.

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1. The attached papers having to do with whether or not [REDACTED] should be retained in an overseas assignment are referred to you for your consideration and recommendation to the Director, inasmuch as the Medical Office and the operating components are in disagreement as to the proper action to be taken in this case.

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2. The circumstances surrounding this case can be briefly summarized as follows:

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a. Having originally disqualified [REDACTED] for overseas duty in 1949, the Medical Office approved of a ninety-day tour of temporary duty overseas on 30 April 1952.

b. The SR Division failed to return [REDACTED] to the United States 25X1A9a at the expiration of this period, and, on 19 December 1952, the CAO/DDP informed the Medical Office that [REDACTED] was being brought back to 25X1A9a Headquarters.

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c. Prompted by a letter from [REDACTED] recommending against the 25X1A9a return of [REDACTED] Mr. Dulles, on 6 February 1953, stated that he would approve or the necessary waiver if CIA would not be held liable for [REDACTED] physical condition.

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d. On 10 February 1953 [REDACTED] notified the Medical Office that Mr. Dulles had granted permission for the subject to remain overseas.

e. On 17 February 1953 the ADD/A requested the Medical Office and the General Counsel to explore this matter specifically to determine whether or not the Agency would be held liable.

f. On 4 March 1953 the General Counsel's Office rendered an opinion that the overseas assignment would not legally enlarge nor diminish the potential Agency or Government liability.

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g. On 2 April 1953 the Medical Office advised the ADD/A that in their opinion "the nature of [REDACTED] medical difficulty is such that overseas assignment increases Government liability in event of disability."

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